

REMARKS

With the amended claim 14, a basis for "said shutter support structure" in claim 20 has been provided. Reconsideration of the rejection under 35 USC § 112 is respectfully requested.

The Examiner has rejected claims 14 - 16 and 18 - 20 under 35 USC 103(a) as being unpatentable over US patent No. 6 037 006 to Chakrabarti et al. in view of US patent No. 5 221 636 to Landreau et al. and he has rejected claim 17 under 35 USC 103(a) as being unpatentable over Chakrabarti et al. and Landreau et al. in view of US patent No. 5 980 975 to Namura et al.

US 6 037 006 (Chakrabarti et al.) has been discussed in Applicant's last response. The Examiner now points out that in the apparatus of Chakrabarti et al. the lasers are supported on a support structure forming a magazine 150 by which they can be moved into, and out of, the receiver and that the lasers are arranged in a circle around the coating source although the source is not the center of the circle.

In this respect, it is pointed out that each magazine or carrier frame 150 supports a number of fixtures on which the lasers are mounted. Neither the carrier frames nor the fixtures with the lasers nor the individual lasers are removable or protectable during the irradiation procedure so that their exposure time can not be individually controlled. All are exposed to the same electron beam source for the same amount of time. No individual exposure control is provided.

Landreau et al. (US 5 221 636) discloses a process and apparatus for the deposition of anti-reflection coatings and the checking of their thickness. It provides for in-situ monitoring of the electrical voltage of the laser for the purpose of detecting a maximum voltage which indicates an overall reflectivity minimum of a coating and thus provides a stopping point for the procedure. However, this coating process is concerned only with a single laser. The coating procedure is shut down when the laser coating is determined to be sufficient. There is a mask 23 provided in Landreau et al. for the protection of the laser beam when it is rotated for coating another face. But such an arrangement certainly does not suggest the provision of protective shields for individual lasers in an apparatus for coating a plurality of lasers at the same time and individually

shielding lasers when it has been determined that their optimum coating thickness has been reached.

Neither of the two references discloses, or in any way suggests, the possibility of providing for each of a plurality of lasers which are coated in a coating apparatus at the same time a shutter which can be moved in front of a laser during the coating procedure when it is determined that optimum coating of a particular laser has been reached.

And since none of the references provides any hint or suggestion to this effect, it can hardly be said credibly that a combination of the references will lead to the invention as now more distinctly defined in amended claim 14.

Reference is made to the following decisions considered pertinent in this connection:

"Contrary to the position taken by the Examiner in determining the patentability of an invention, it should be recognized that the fact that the prior art could be modified in an Examiner's view so as to result in the combination defined by the claims at bar would not have made the modification obvious unless the prior art suggests the desirability of the modification." See In re Deminski, 796 F.2d 436, 230 USPQ 313 (Fed. Cir. 1986).

Furthermore, In re Laskowski, CAFC, No. 88-1349, decided April 3, 1989, concerning an invention utilizing, for the support of a saw band, a loose tire rather than a tightly fitted tire, the Court stated that, although the Commissioner suggests that Hoffman (the cited prior art utilizing a tightly fitted tire) could readily be modified to form the Laskowski structure (with loosely fitted tire), the mere fact that the prior art could be so modified would not have made the modification obvious unless the prior art suggested the desirability of the modification.

The Examiner will certainly agree that the cited references do not provide for the arrangement as now distinctly defined in amended claim 1.

Claims 15 to 20 are all dependent directly or indirectly on claim 14, and consequently, they all include the feature that a protective shelter is provided for each individual laser in the coating apparatus so that the coating procedure can be stopped individually for each laser when it is determined that an optimum coating thickness has been reached for a particular laser.

Claims 15 to 20 are directed to particular features which are considered to be advantageous in connection with the coating apparatus of claim 14. They ought to be considered to be patentable together with claim 14.

Reconsideration of the rejection of these claims and allowance of claims 14 to 20 is solicited.

Respectfully submitted,



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